



February 21, 2001

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## HOUSE BILL No. 1911

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DIGEST OF HB 1911 (Updated February 20, 2001 12:46 PM - DI 103)

**Citations Affected:** IC 8-1.

**Synopsis:** Prohibits a telephone company from: (1) implementing measured local telephone service as the only monthly rate structure available to any of its customers; or (2) offering measured local telephone service as an option to any of its customers, regardless of whether it offers lower rates for service in return. Prohibits a telephone company from: (1) reducing the size of the local calling area for any of its customers; or (2) offering its customers the option of having a reduced local calling area, regardless of whether it offers lower rates for service in return. Requires a telephone company to submit to the Indiana utility regulatory commission (IURC) an annual report that includes: (1) a description of any improvements to the service provided by the telephone company as a result of technological or industry advancements; and (2) a list of local calling areas that were expanded in territory during the period of the report. Requires a telephone company to make a good faith effort to achieve the improvements required to be listed in the report. Prohibits the IURC from approving a rate increase to cover a telephone company's expenses in complying with this law. Repeals a provision that refers to a monthly rate structure for local exchange telephone service based on usage.

**Effective:** July 1, 2001.

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**Fry, Aguilera**

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January 17, 2001, read first time and referred to Committee on Commerce, Economic Development and Technology.  
February 20, 2001, amended, reported — Do Pass.

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HB 1911—LS 7334/DI 51+



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February 21, 2001

First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

## HOUSE BILL No. 1911

A BILL FOR AN ACT concerning utilities.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 8-1-2-88.1 IS ADDED TO THE INDIANA CODE
- 2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 3 1, 2001]: **Sec. 88.1. (a) As used in this section, "local calling area"**
- 4 **means the territory in which a customer of a telephone company**
- 5 **is able to make a telephone call without incurring a long distance**
- 6 **charge.**
- 7 **(b) As used in this section, "measured local telephone service"**
- 8 **means a monthly rate structure for local exchange telephone**
- 9 **service based upon a customer's usage.**
- 10 **(c) As used in this section, "telephone company" has the**
- 11 **meaning set forth in section 88 of this chapter.**
- 12 **(d) A telephone company may not:**
- 13 **(1) implement measured local telephone service as the only**
- 14 **monthly rate structure available to any of its customers; or**
- 15 **(2) offer measured local telephone service as an option to any**
- 16 **of its customers, regardless of whether it offers lower rates for**
- 17 **local exchange telephone service in return.**

HB 1911—LS 7334/DI 51+



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1 (e) A telephone company may not:

2 (1) reduce the size of the local calling area for any of its  
3 customers; or

4 (2) offer any of its customers the option of having a reduced  
5 local calling area, regardless of whether it offers lower rates  
6 for local exchange telephone service in return.

7 (f) Not later than March 1 of each year, a telephone company  
8 shall submit to the commission a report that includes the following  
9 information for the immediately preceding calendar year:

10 (1) A description of any improvements to the local exchange  
11 telephone service provided by the telephone company as a  
12 result of technological or industry advancements.

13 (2) A list of local calling areas that were expanded in  
14 geographic territory during the period covered by the report.  
15 If no local calling areas were expanded, the telephone  
16 company shall explain why no expansion occurred.

17 (g) A telephone company shall make a good faith effort to:

18 (1) improve, through technological or other advancements,  
19 the local exchange telephone service provided to its  
20 customers; and

21 (2) expand, through technological or other advancements, the  
22 geographic territory of the local calling areas provided to its  
23 customers.

24 A telephone company shall describe in the annual report required  
25 under subsection (f) the efforts made to meet these goals.

26 (h) The commission may not approve a request for a rate  
27 increase made by a telephone company to cover the expense of  
28 compliance with this section.

29 (i) This section does not affect any regulatory procedures  
30 established by the commission for the change of a telephone  
31 company's territorial area established under section 88 of this  
32 chapter.

33 SECTION 2. IC 8-1-2.6-7 IS REPEALED [EFFECTIVE JULY 1,  
34 2001].

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Commerce, Economic Development and Technology, to which was referred House Bill 1911, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT concerning utilities.

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill do pass.

(Reference is to HB 1911 as introduced.)

FRY, Chair

Committee Vote: yeas 6, nays 5.

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